

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: MAURICE L. HARSH and	:	CHAPTER 13
KELLY J. HARSH	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
MAURICE L. HARSH and	:	
KELLY J. HARSH	:	
Respondent(s)	:	CASE NO. 1-20-bk-02309

TRUSTEE'S OBJECTION TO THIRD AMENDED CHAPTER 13 PLAN

AND NOW, this 9th day of December, 2020, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon the Means Test calculation and specifically disputes the following amounts:

- a. Earning capacity
- b. Plan payment calculation sum of Lines 34, 35, 36 45 and 46.
- c. Special circumstances – Line 43. (66 miles roundtrip to work does not justify a special circumstance.)

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.

- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/James K. Jones
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 9th day of December, 2020, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Aaron John Neuharth, Esquire
P.O. Box 359
Chambersburg, PA 17201

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee